



File: A096/21

Applicant: Kleinvalley Estates Inc.

Address: 75 Artist View Avenue, Kleinburg

Agent: Nick Caruso

Please note that comments and written public submissions received after the preparation of this Staff Report (up until noon on the last business day prior to the day of the scheduled hearing date) will be provided as an addendum.

Commenting Department	<input checked="" type="checkbox"/> Positive Comment	Condition(s) <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Negative Comment	
Committee of Adjustment	<input checked="" type="checkbox"/>	
Building Standards	<input checked="" type="checkbox"/>	
Building Inspection	<input checked="" type="checkbox"/>	
Development Planning	<input checked="" type="checkbox"/>	
Development Engineering	<input checked="" type="checkbox"/>	
Parks, Forestry and Horticulture Operations		
By-law & Compliance		
Financial Planning & Development	<input checked="" type="checkbox"/>	
Fire Department		
TRCA		
Ministry of Transportation		
Region of York	<input checked="" type="checkbox"/>	
Alectra (Formerly PowerStream)	<input checked="" type="checkbox"/>	
Public Correspondence (see Schedule B)		

Adjournment History: None

Background History: None

Staff Report Prepared By: Adriana MacPherson
Hearing Date: Thursday, June 10, 2021

***Please note that additional comments may be received after the publication of the Staff Report. These comments will be processed as an addendum (see website for details).**



Minor Variance Application

Agenda Item: 16

A096/21

Ward: 1

Staff Report Prepared By: Adriana MacPherson, Assistant Secretary Treasurer

Date & Time of Live Stream Hearing: Thursday, June 10, 2021 at 6:00 p.m.

As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

A live stream of the meeting is available at Vaughan.ca/LiveCouncil

Please submit written comments by mail or email to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

To make an electronic deputation at the meeting please contact the Committee of Adjustment at cofa@vaughan.ca or 905-832-8504. Ext. 8332

Written comments or requests to make a deputation must be received by noon on the last business day before the meeting.

Applicant: Kleinvalley Estates Inc.

Agent: Nick Caruso

Property: **75 Artist View Avenue, Kleinburg**

Zoning: The subject lands are zoned R1 and subject to the provisions of Exception 9(1379) under By-law 1-88 as amended.

OP Designation: Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential", subject to Site Specific Policy 13.21: North Humber Extension Area 1.

Related Files: None

Purpose: Relief from By-law 1-88, as amended, is being requested to permit the construction of a proposed single family dwelling.

The following variances are being requested from By-Law 1-88, as amended, to accommodate the above proposal:

By-law Requirement	Proposal
1. A minimum front yard setback of 7.5 metres is required (Schedule A, By-law 1-88a.a.)	1. To permit a minimum front yard setback of 5.34 metres.
2. A minimum exterior side yard setback of 4.5 metres is required (Schedule A, By-law 1-88a.a.)	2. To permit a minimum exterior side yard setback of 4.28 metres.

Background (previous applications approved by the Committee on the subject land): None

For information on the previous approvals listed above please visit www.vaughan.ca. To search for a file number, enter it using quotes around it. For example, "A001/17".

To search property address, enter street number and street name using quotes. For example, "2141 Major Mackenzie". Do not include street type (i.e. drive).

Adjournment History: None

Staff & Agency Comments

Please note that staff/agency comments received after the preparation of this Report will be provided as an addendum item to the Committee. Addendum items will shall only be received by the Secretary Treasurer until **noon** on the last business day **prior** to the day of the scheduled Meeting.

Committee of Adjustment:

Public notice was mailed on May 26, 2021

Applicant confirmed posting of signage on May 17, 2021

Property Information	
Existing Structures	Year Constructed
Dwelling	TBC

Applicant has advised that they cannot comply with By-law for the following reason(s): Upgrade flankage elevation as per architectural control approval

Adjournment Request: None

Building Standards (Zoning Review):

Stop Work Order(s) and Order(s) to Comply: There are no outstanding Orders on file

Building Permit No. 21-104191 for Single Detached Dwelling - New, Issue Date: (Not Yet Issued)

The applicant shall be advised that additional variances may be required upon review of detailed drawing for building permit/site plan approval.

Building Inspections (Septic):

No comments or concerns

Development Planning:

Vaughan Official Plan 2010 ('VOP 2010'): "Low-Rise Residential", subject to Site Specific Policy 13.21: North Humber Extension Area 1.

The Owner is requesting permission to construct a two-storey dwelling.

The subject lands are a vacant corner lot within a recently established neighbourhood. The requested front yard setback variance is measured to the sight line triangle, while the front yard setback to Artist View Avenue complies with the requirements of the Zoning By-law and the dwelling maintains a consistent front yard setback with the adjacent dwelling. The requested variance for the exterior side yard setback is minor and will not negatively impact the streetscape along Vivot Boulevard. The proposed dwelling complies with all other requirements of the Zoning By-law.

Accordingly, the Development Planning Department is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

Development Planning Department Recommends approval of the application.

Development Engineering:

The Development Engineering (DE) Department does not object to variance application A096/21.

Parks Development - Forestry:

No comments received to date.

By-Law and Compliance, Licensing and Permit Services:

No comments received to date

Development Finance:

That the payment of the City Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and City-wide Development Charge By-law in effect at time of payment.

That the payment of Region of York Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Regional Development Charges By-laws in effect at time of payment.

That the payment of Education Development Charge is payable to the City of Vaughan prior to issuance of a building permit in accordance with the Education Act and York Region District School Board and York Catholic District School Board Development Charges By-laws in effect at time of payment

That the payment of applicable Area Specific Development Charges are payable to the City of Vaughan prior to issuance of a building permit in accordance with the Development Charges Act and Area Specific Development Charge By-laws in effect at time of payment.

Fire Department:

No comments received to date

Schedule B – Public Correspondence

None

Schedule C - Agency Comments

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections

Schedule D - Previous Approvals (Notice of Decision)

None

Staff Recommendations:

Staff and outside agencies (i.e. TRCA) act as advisory bodies to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

The Planning Act sets the criteria for authorizing minor variances to the City of Vaughan's Zoning By-law. Accordingly, review of the application considers the following:

- ✓ That the general intent and purpose of the by-law will be maintained.
- ✓ That the general intent and purpose of the official plan will be maintained.
- ✓ That the requested variance(s) is/are acceptable for the appropriate development of the subject lands.
- ✓ That the requested variance(s) is/are minor in nature.

Should the Committee find it appropriate to approve this application in accordance with request and the sketch submitted with the application as required by Ontario Regulation 200/96, the following conditions have been recommended: None

Conditions

It is the responsibility of the owner/applicant and/or authorized agent to obtain and provide a clearance letter from respective department and/or agency. This letter must be provided to the Secretary-Treasurer to be finalized. All conditions must be cleared prior to the issuance of a Building Permit.

Please Note:

Relief granted from the City's Zoning By-law is determined to be the building envelope considered and approved by the Committee of Adjustment.

Development outside of the approved building envelope (subject to this application) must comply with the provisions of the City's Zoning By-law or additional variances may be required.

Elevation drawings are provided to reflect the style of roof to which building height has been applied (i.e. flat, mansard, gable etc.) as per By-law 1-88 and the Committee of Adjustment approval. Please note, that architectural design features (i.e. window placement), that do not impact the style of roof approved by the Committee, are not regulated by this decision.

Notice to the Applicant – Development Charges

That the payment of the Regional Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Regional Development Charges By-law in effect at the time of payment.

That the payment of the City Development Charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the City's Development Charges By-law in effect at the time of payment.

That the payment of the Education Development Charge if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and the Boards of Education By-laws in effect at the time of payment

That the payment of Special Area Development charge, if required, is payable to the City of Vaughan before issuance of a building permit in accordance with the Development Charges Act and The City's Development Charge By-law in effect at the time of Building permit issuance to the satisfaction of the Reserves/Capital Department.

Notice to Public

PLEASE NOTE: As a result of COVID-19, Vaughan City Hall and all other City facilities are closed to the public at this time.

PUBLIC CONSULTATION DURING OFFICE CLOSURE: Any person who supports or opposes this application, but is unable to attend the hearing, may make a written submission, together with reasons for support or opposition. Written submissions on an Application shall only be received until **noon** on the last business day **prior** to the day of the scheduled hearing. Written submissions can be mailed and/or emailed to:

City of Vaughan
Office of the City Clerk – Committee of Adjustment
2141 Major Mackenzie Drive, Vaughan, ON L6A 1T1
cofa@vaughan.ca

ELECTRONIC PARTICIPATION: During the COVID-19 emergency, residents can view a live stream of the meeting Vaughan.ca/LiveCouncil. To make an electronic deputation, residents must complete and submit a [Public Deputation Form](#) no later than **noon** on the last business prior to the scheduled hearing. To obtain a Public Deputation Form please contact our office or visit www.vaughan.ca

Presentations to the Committee are generally limited to 5 minutes in length. Please note that Committee of Adjustment meetings may be audio/video recorded. Your name, address comments and any other personal information will form part of the public record pertaining to this application.

PUBLIC RECORD: Personal information is collected under the authority of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the Planning Act and all other relevant legislation, and will be used to assist in deciding on this matter. All personal information (as defined by MFIPPA), including (but not limited to) names, addresses, opinions and comments collected will become property of the City of Vaughan, will be made available for public disclosure (including being posted on the internet) and will be used to assist the Committee of Adjustment and staff to process this application.

NOTICE OF DECISION: If you wish to be notified of the decision in respect to this application or a related Local Planning Appeal Tribunal (LPAT) hearing you must complete a Request for Decision form and submit to the Secretary Treasurer (ask staff for details). In the absence of a written request to be notified of the Committee's decision you will **not** receive notice.

For further information please contact the City of Vaughan, Committee of Adjustment
Adriana MacPherson
T 905 832 8585 Extension 8360
E CofA@vaughan.ca

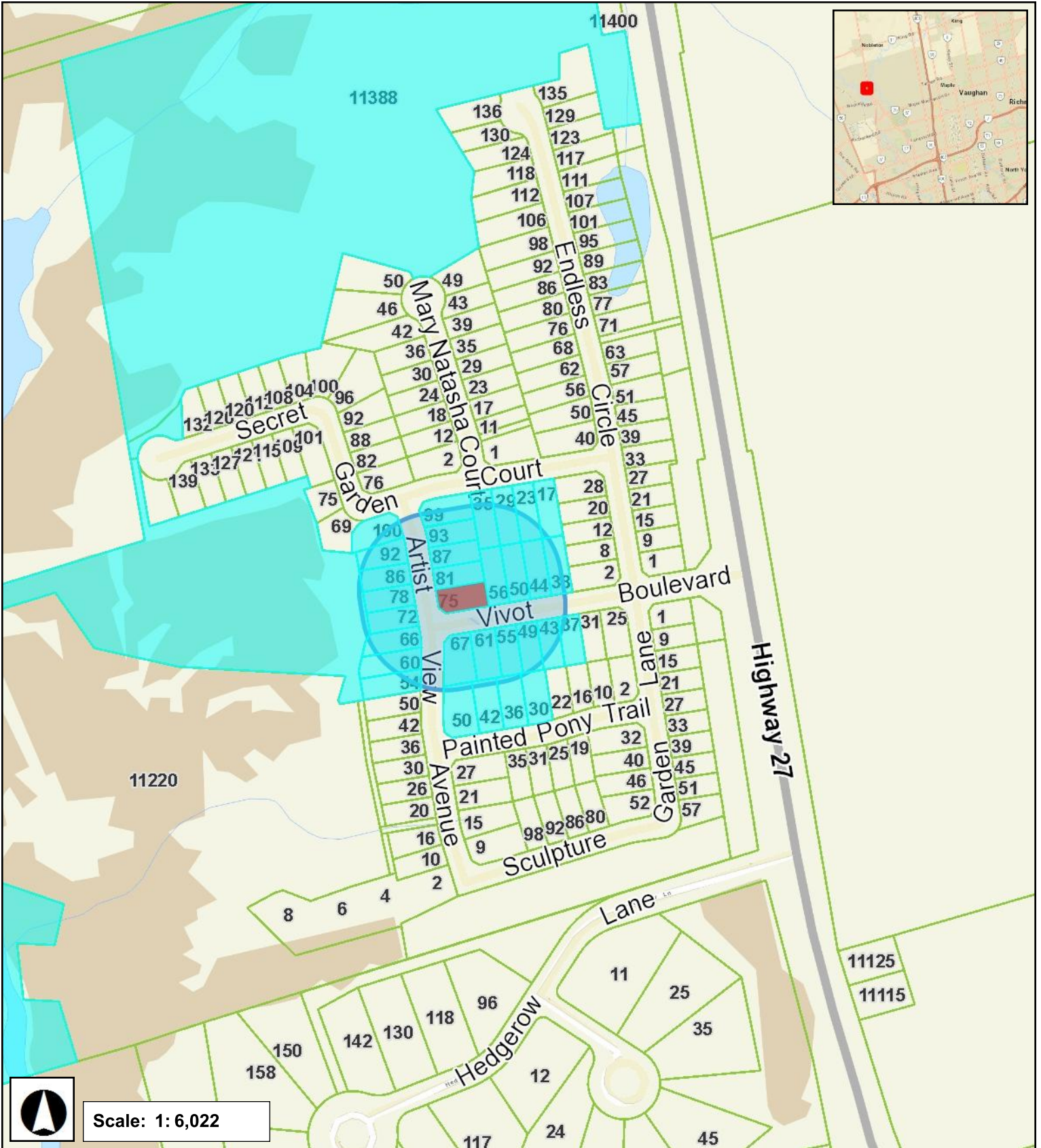
Schedule A: Plans & Sketches

Please note that the correspondence listed in Schedule A is not comprehensive. Plans & sketches received after the preparation of this staff report will be provided as an addendum.

Location Map
Plans & Sketches

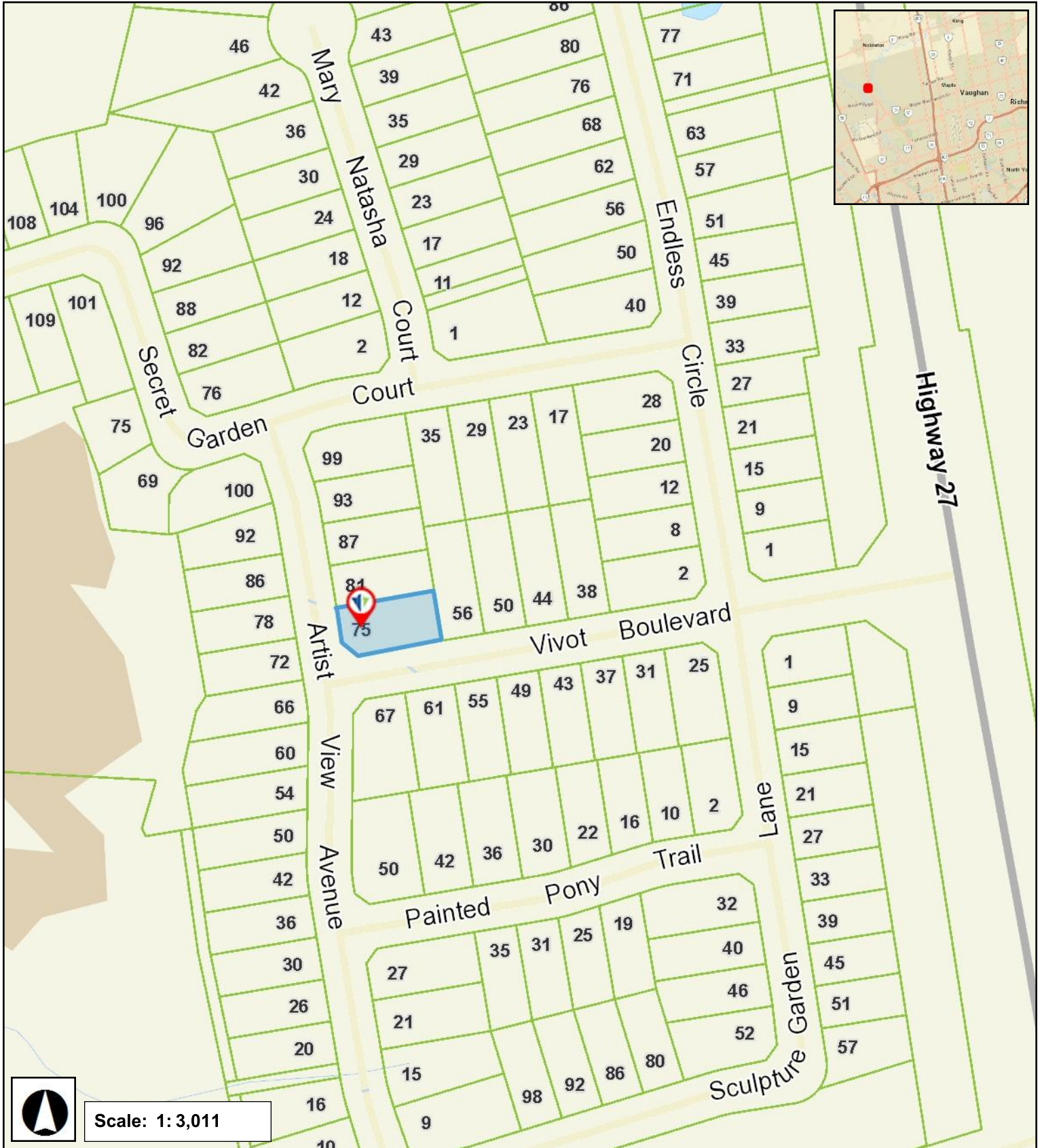
75 Artist View Avenue, Kleinburg

Kirby Road



75 Artist View Avenue, Kleinburg

Kirby Road

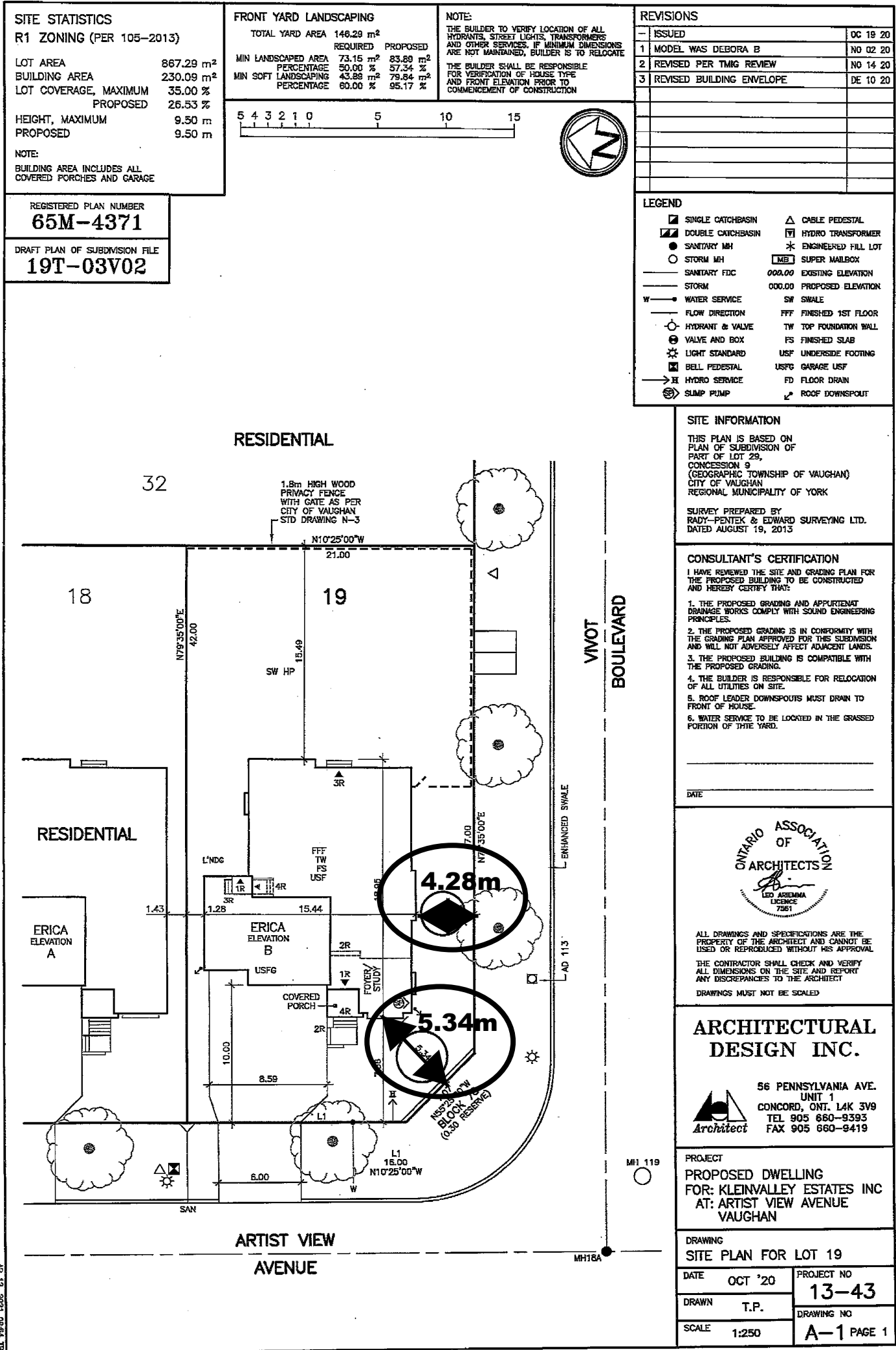


Scale: 1: 3,011

Proposal:

1. To permit a minimum front yard setback of 5.34 metres.
2. To permit a minimum exterior side yard setback of 4.28 metres.

A096/21



SITE STATISTICS
R1 ZONING (PER 105-2013)

LOT AREA	867.29 m ²
BUILDING AREA	230.09 m ²
LOT COVERAGE, MAXIMUM	35.00 %
PROPOSED	26.53 %
HEIGHT, MAXIMUM	9.50 m
PROPOSED	9.50 m

NOTE:
BUILDING AREA INCLUDES ALL COVERED PORCHES AND GARAGE

FRONT YARD LANDSCAPING

TOTAL YARD AREA	146.29 m ²
REQUIRED	
PROPOSED	
MIN LANDSCAPED AREA	73.15 m ²
PERCENTAGE	50.00 %
MIN SOFT LANDSCAPING	43.88 m ²
PERCENTAGE	60.00 %

NOTE:
THE BUILDER TO VERIFY LOCATION OF ALL HYDRANTS, STREET LIGHTS, TRANSFORMERS AND OTHER SERVICES. IF MINIMUM DIMENSIONS ARE NOT MAINTAINED, BUILDER IS TO RELOCATE.
THE BUILDER SHALL BE RESPONSIBLE FOR VERIFICATION OF HOUSE TYPE AND FRONT ELEVATION PRIOR TO COMMENCEMENT OF CONSTRUCTION

REVISIONS

ISSUED	OC 18 20
1 MODEL WAS DEBORA B	NO 02 20
2 REVISED PER TMIG REVIEW	NO 14 20
3 REVISED BUILDING ENVELOPE	DE 10 20

REGISTERED PLAN NUMBER
65M-4371
DRAFT PLAN OF SUBDIVISION FILE
19T-03V02

LEGEND

□ SINGLE CATCHBASIN	△ CABLE PEDESTAL
▣ DOUBLE CATCHBASIN	▽ HYDRO TRANSFORMER
● SANITARY MH	* ENGINEERED FILL LOT
○ STORM MH	MSB SUPER MAILBOX
— SANITARY FIC	000.00 EXISTING ELEVATION
— STORM	000.00 PROPOSED ELEVATION
W WATER SERVICE	SW SWALE
→ FLOW DIRECTION	FFF FINISHED 1ST FLOOR
○ HYDRANT & VALVE	TW TOP FOUNDATION WALL
⊕ VALVE AND BOX	FS FINISHED SLAB
⊙ LIGHT STANDARD	USF UNDERSIDE FOOTING
⊠ BELL PEDESTAL	USFG GARAGE USF
→ HYDRO SERVICE	FD FLOOR DRAIN
⊕ SLUMP PUMP	↙ ROOF DOWNSPOUT

SITE INFORMATION
THIS PLAN IS BASED ON PLAN OF SUBDIVISION OF PART OF LOT 29, CONCESSION 9 (GEOGRAPHIC TOWNSHIP OF VAUGHAN) CITY OF VAUGHAN REGIONAL MUNICIPALITY OF YORK
SURVEY PREPARED BY RADY-PENTEK & EDWARD SURVEYING LTD. DATED AUGUST 19, 2013

CONSULTANT'S CERTIFICATION
I HAVE REVIEWED THE SITE AND GRADING PLAN FOR THE PROPOSED BUILDING TO BE CONSTRUCTED AND HEREBY CERTIFY THAT:
1. THE PROPOSED GRADING AND APPURTENANT DRAINAGE WORKS COMPLY WITH SOUND ENGINEERING PRINCIPLES.
2. THE PROPOSED GRADING IS IN CONFORMITY WITH THE GRADING PLAN APPROVED FOR THIS SUBDIVISION AND WILL NOT ADVERSELY AFFECT ADJACENT LANDS.
3. THE PROPOSED BUILDING IS COMPATIBLE WITH THE PROPOSED GRADING.
4. THE BUILDER IS RESPONSIBLE FOR RELOCATION OF ALL UTILITIES ON SITE.
5. ROOF LEADER DOWNSPOUTS MUST DRAIN TO FRONT OF HOUSE.
6. WATER SERVICE TO BE LOCATED IN THE GRASSED PORTION OF THIS YARD.

DATE _____
ONTARIO ASSOCIATION OF ARCHITECTS
LEO ARZEMMA
LICENSE 7561
ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND CANNOT BE USED OR REPRODUCED WITHOUT HIS APPROVAL
THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS ON THE SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECT
DRAWINGS MUST NOT BE SCALED

ARCHITECTURAL DESIGN INC.
56 PENNSYLVANIA AVE. UNIT 1
CONCORD, ONT. L4K 3V9
TEL 905 660-9393
FAX 905 660-9419

PROJECT
PROPOSED DWELLING FOR: KLEINVALLEY ESTATES INC AT: ARTIST VIEW AVENUE VAUGHAN

DRAWING
SITE PLAN FOR LOT 19

DATE	OCT '20	PROJECT NO	13-43
DRAWN	T.P.	DRAWING NO	A-1 PAGE 1
SCALE	1:250		

SP 12, 2021 08:58 TP

Schedule B: Public Correspondence Received

Please note that the correspondence listed in Schedule B is not comprehensive. Written submissions received after the preparation of this staff report will be provided as an addendum.

None

Schedule C: Agency Comments

Please note that the correspondence listed in Schedule C is not comprehensive. Comments received after the preparation of this staff report will be provided as an addendum.-

Alectra (Formerly PowerStream) – No concerns or objections
Region of York – No concerns or objections



Discover the possibilities

COMMENTS:

- We have reviewed the proposed Variance Application and have no comments or objections to its approval.
- We have reviewed the proposed Variance Application and have no objections to its approval, subject to the following comments (attached below).
- We have reviewed the proposed Variance Application and have the following concerns (attached below).

Alectra Utilities (formerly PowerStream) has received and reviewed the proposed Variance Application. This review, however, does not imply any approval of the project or plan.

All proposed billboards, signs, and other structures associated with the project or plan must maintain minimum clearances to the existing overhead or underground electrical distribution system as specified by the applicable standards, codes and acts referenced.

In the event that construction commences, and the clearance between any component of the work/structure and the adjacent existing overhead and underground electrical distribution system violates the Occupational Health and Safety Act, the customer will be responsible for 100% of the costs associated with Alectra making the work area safe. All construction work will be required to stop until the safe limits of approach can be established.

In the event construction is completed, and the clearance between the constructed structure and the adjacent existing overhead and underground electrical distribution system violates the any of applicable standards, acts or codes referenced, the customer will be responsible for 100% of Alectra's cost for any relocation work.

References:

- Ontario Electrical Safety Code, latest edition (Clearance of Conductors from Buildings)
- Ontario Health and Safety Act, latest edition (Construction Protection)
- Ontario Building Code, latest edition (Clearance to Buildings)
- PowerStream (Construction Standard 03-1, 03-4), attached
- Canadian Standards Association, latest edition (Basic Clearances)

If more information is required, please contact either of the following:

Mr. Stephen Cranley, C.E.T
Supervisor, Distribution Design, ICI & Layouts (North)
Phone: 1-877-963-6900 ext. 31297

Mr. Tony D'Onofrio
Supervisor, Subdivisions (Alectra East)
Phone: 1-877-963-6900 ext. 24419

E-mail: stephen.cranley@alectrautilities.com

Email: tony.donofrio@alectrautilities.com

MacPherson, Adriana

Subject: FW: A096/21 - Request for Comments: A096/21 (75 Artist View, Kleinburg)

From: Hurst, Gabrielle <Gabrielle.Hurst@york.ca>

Sent: May-26-21 11:56 AM

To: MacPherson, Adriana <Adriana.MacPherson@vaughan.ca>

Cc: Committee of Adjustment <CofA@vaughan.ca>

Subject: [External] RE: A096/21 - Request for Comments: A096/21 (75 Artist View, Kleinburg)

Good morning Adriana,

The Regional Municipality of York has completed its review of the above minor variance and has no comment.

Gabrielle

Gabrielle Hurst MCIP RPP | Community Planning and Development Services | The Regional Municipality of York | 1-877
464 9675 ext 71538 | gabrielle.hurst@york.ca | www.york.ca